

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE JUDICIARY COMMITTEE

Date: Friday, January 9, 2009
Place: Capitol

Time: 8:00 am
Room: 303

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

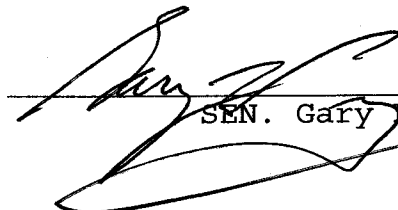
SB 7, SB 50, SB 91, SB 125

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

SB 40-P, SB 45-DPAA, SB 7-P, SB 125-P, SB 91-P SB 50-Tabled

COMMENTS:



SEN. Gary L. Perry, Chairman

MONTANA STATE SENATE
Roll Call
JUDICIARY COMMITTEE

DATE: 1/9/08

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR GARY PERRY, CHAIRMAN	✓	
SENATOR JIM SHOCKLEY, VICE CHAIRMAN	✓	
SENATOR AUBYN CURTISS	✓	
SENATOR JOHN ESP	✓	
SENATOR GREG HINKLE	✓	
SENATOR LARRY JENT	✓	
SENATOR CAROL JUNEAU	✓	
SENATOR CLIFF LARSEN	✓	
SENATOR JESSE LASLOVICH	✓	
SENATOR DANIEL MCGEE	✓	
SENATOR LYNDA MOSS	✓	
SENATOR TERRY MURPHY	✓	



SENATE STANDING COMMITTEE REPORT

January 9, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 40** (first reading copy -- white) **do pass.**

Signed: _____

Senator Gary L. Perry, Chair

- END -

Committee Vote:

Yes 11, No 1

Fiscal Note Required ____

SB0040001SC.sdr

SA



SENATE STANDING COMMITTEE REPORT

January 9, 2009

Page 1 of 2

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 45** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator Gary L. Perry, Chair

And, that such amendments read:

1. Page 1, line 12.

Following: "(1)"

Insert: "(a)"

2. Page 1, line 12 through line 13.

Following: "~~request~~," on line 12

Strike: remainder of line 12 through "indigent" on line 13

Insert: "Upon request"

3. Page 1, line 14.

Following: "reproduction"

Strike: ", without cost to the defendant,"

4. Page 1, line 16.

Strike: "(a)"

Insert: "(i)"

5. Page 1, line 18.

Strike: "(b)"

Insert: "(ii)"

6. Page 1, line 19.

Strike: "(c)"

Insert: "(iii)"

7. Page 1, line 22.

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

SB0045001SC.sdr

SA

Strike: "(d)"

Insert: "(iv)"

8. Page 1, line 24.

Strike: "(e)"

Insert: "(v)"

9. Page 1, line 26.

Following: line 25

Insert: "(b) When, pursuant to 47-1-111, a defendant has been determined by the office of state public defender to be indigent, the prosecutor shall, without cost to the defendant or to the office of state public defender, make available the material and information required under subsection (1)(a)."

- END -



SENATE STANDING COMMITTEE REPORT

January 9, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 7** (first reading copy -- white) do pass.

Signed: _____

Senator Gary L. Perry, Chair

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

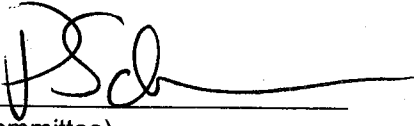
SB0007001SC.sdr

SA

SENATE Secretary of the Senate COPY

TABLED BILL

The **SENATE JUDICIARY COMMITTEE** TABLED SB 50, by motion, on **Friday, January 9, 2009.**



(For the Committee)



(Secretary of the Senate)

10:20 , 1/9

(Time)

(Date)

January 9, 2009

Pamela E. Schindler, Secretary

Phone: 444-4891



SENATE STANDING COMMITTEE REPORT

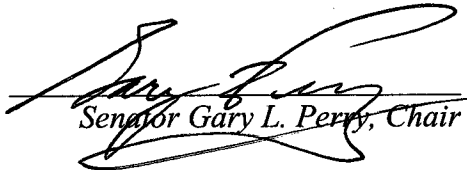
January 9, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 125** (first reading copy -- white) do pass.

Signed:


Senator Gary L. Perry, Chair

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

SB0125001SC.sdr

SA



SENATE STANDING COMMITTEE REPORT

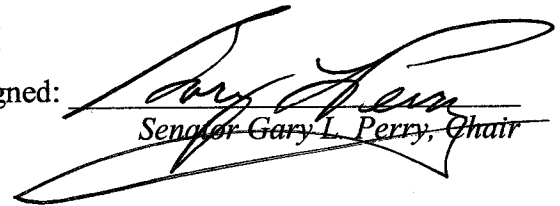
January 9, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 91** (first reading copy -- white) do pass.

Signed:


Senator Gary L. Perry, Chair

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

SB0091001SC.sdr

SP

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/9/09 BILL NO ^{SB} 40 MOTION NO. 1
MOTION: _____

amendment

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		1	
SENATOR JESSE LASLOVICH		1	
SENATOR AUBYN CURTISS		1	
SENATOR LARRY JENT		1	
SENATOR TERRY MURPHY	1		
SENATOR LYNDA MOSS	1		
SENATOR JOHN ESP		1	
SENATOR CLIFF LARSEN	1		
SENATOR CAROL JUNEAU	1		
SENATOR GREG HINKLE		1	
SENATOR JIM SHOCKLEY, VICE CHAIR		1	
SENATOR GARY PERRY, CHAIRMAN		1	

4/8 failed

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/9/09 BILL NO SB340 MOTION NO. 2
 MOTION: Conceptual Amend - McFee

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	✓		
SENATOR JESSE LASLOVICH		✓	
SENATOR AUBYN CURTISS	✓		
SENATOR LARRY JENT		✓	
SENATOR TERRY MURPHY		✓	
SENATOR LYNDA MOSS		✓	
SENATOR JOHN ESP	✓		
SENATOR CLIFF LARSEN		✓	
SENATOR CAROL JUNEAU		✓	
SENATOR GREG HINKLE	✓		
SENATOR JIM SHOCKLEY, VICE CHAIR	✓		
SENATOR GARY PERRY, CHAIRMAN	✓		

6/6 *faulk*

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/9/09 BILL NO. SB40 MOTION NO. 4
MOTION: _____

Mr. Lee Amend (2nd time)

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR AUBYN CURTISS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR LARRY JENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR TERRY MURPHY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR LYNDA MOSS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR JOHN ESP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR CLIFF LARSEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR CAROL JUNEAU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR GREG HINKLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

6/6/09

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 1/9/09 BILL NO SB 40 MOTION NO. 5
 MOTION: _____

SB 40 Do Pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	<u>1</u>		
SENATOR JESSE LASLOVICH	<u>1</u>		
SENATOR AUBYN CURTISS		<u>1</u>	
SENATOR LARRY JENT	<u>1</u>		
SENATOR TERRY MURPHY	<u>1</u>		
SENATOR LYNDA MOSS	<u>1</u>		
SENATOR JOHN ESP	<u>1</u>		
SENATOR CLIFF LARSEN	<u>1</u>		
SENATOR CAROL JUNEAU	<u>1</u>		
SENATOR GREG HINKLE	<u>1</u>		
SENATOR JIM SHOCKLEY, VICE CHAIR	<u>1</u>		
SENATOR GARY PERRY, CHAIRMAN	<u>1</u>		

11/1

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 1/9/08

Bill No. SB7 Sponsor(s) Sen. Schubert

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Greg Petesch	Code Commissioner	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 1/9/08

Bill No. SB 50 Sponsor(s) Sen. Shockley

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Peggy Davis	DOA-SHRD			✓
Dan Shea	Self		Oppose	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**MONTANA STATE SENATE
Visitors Register**

Judiciary Committee

Date 1/9/08

Bill No. SB91 Sponsor(s) Sen. Jensen / Shockley

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
MARK MURPHY YCAO	YCAO			X
Cl Robinson	MBCC			X
Niki Zupanic	ACLU	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 1/9/08

Bill No. SB125 **Sponsor(s)** Sen. Shockley

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.